

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

VINCENT FAGAN and ANTHONY
GIANASCA, Individually and as Putative Class
Representatives,

Plaintiffs,

v.

HONEYWELL INTERNATIONAL INC.,

Defendant.

Civil Action No. 05cv10119 DPW

DEFENDANT'S MOTION TO STAY

Defendant Honeywell International Inc. ("Honeywell") hereby moves to stay all proceedings in this case until the Judicial Panel on Multidistrict Litigation ("MDL Panel") resolves pending motions for transfer and coordination pertaining to this case. A stay of the proceedings would accommodate pending efforts before the MDL Panel to achieve an orderly transfer of all pending federal actions on this subject to one federal court.

As is detailed in the accompanying memorandum in support of this motion, this Court has the inherent power to stay proceedings. In the circumstances presented here, it is common practice to issue stay orders pending the MDL Panel's resolution of a motion to transfer and coordinate cases. A stay would conserve judicial resources, reduce the burden on the parties, prevent duplicative litigation, and avoid potentially inconsistent rulings. A proposed order is attached hereto at Exhibit A.

Respectfully submitted,
HONEYWELL INTERNATIONAL INC.,
Defendant,
By its attorneys,


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Dated: January 21, 2005

CERTIFICATE OF SERVICE

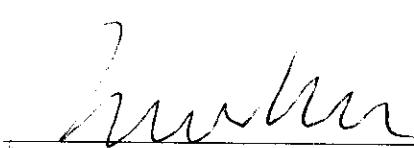
I certify that on this 21st day of January, 2005, I caused copies of the foregoing DEFENDANT'S MOTION TO STAY to be served by first-class U.S. mail, postage prepaid on:

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|PROPOSED| ORDER

On consideration of defendant Honeywell International Inc.'s motion to stay, the filings made in support thereof and in opposition thereto, and the argument of the parties, it is hereby ORDERED that defendant's motion is GRANTED;

It is further ORDERED that, in light of the pending motions before the Judicial Panel on Multidistrict Litigation, which seek transfer of this case pursuant to 28 U.S.C. § 1407, all proceedings in this matter are hereby stayed until further order of the Court.

United States District Judge